



Order Filed on March 11, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS Citron, LLC
Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

In Re:

Daniel K Holt,

Debtor,

Sandee E Larsen,

Joint Debtor.

Case No.: 18-34290-MBK

Chapter: 13

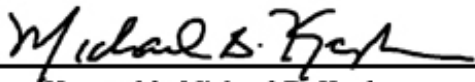
Hearing Date: February 26, 2020

Judge: Michael B. Kaplan

**ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: March 11, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page 2

Secured Creditor: LoanCare, LLC

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Lee Martin Perlman, Esq.

Property Involved ("Collateral"): 882 Derry Drive, Toms River, New Jersey 08753

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:
 - The Debtor is overdue for 4 months from November 1, 2019 through February 1, 2020.
 - The Debtor is overdue for 2 payments from November 1, 2019 to December 1, 2019 at \$1,775.29 per month.
 - The Debtor is overdue for 2 payments from January 1, 2020 to February 1, 2020 at \$1,803.14 per month.

Funds Held In Suspense \$54.69

Total Arrearages Due \$7,102.17

2. Debtor must cure all post-petition arrearages, as follows:
 - Beginning on March 1, 2020, regular monthly mortgage payments shall continue to be made in the amount of \$1,803.14, subject to periodic adjustments.
 - The amount of \$7,102.17 shall be capitalized in the Debtor's Chapter 13 plan. Debtor must file an Amended Schedules I and J within fifteen (15) days of the entry of this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order
 - This Order is incorporated into any Order confirming the plan. The Trustee is to pay the arrears identified in this Order.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: LoanCare LLC
ATTN: Bankruptcy Dept
P.O. Box 8068
Virginia Beach, VA 23450

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Daniel K Holt
Sandee E Larsen
DebtorsCase No. 18-34290-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 11, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Mar 13, 2020.

db/jdb +Daniel K Holt, Sandee E Larsen, 882 Derry Drive, Toms River, NJ 08753-3581

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 13, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on March 11, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Aleisha Candace Jennings on behalf of Creditor LoanCare, LLC ajennings@rasflaw.com
 Brian C. Nicholas on behalf of Creditor Loancare, LLC.. bnicholas@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Denise E. Carlon on behalf of Creditor Loancare, LLC.. dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 John R. Morton, Jr. on behalf of Creditor American Honda Finance Corporation, administrator
 for Honda Lease Trust ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
 Kevin Gordon McDonald on behalf of Creditor Ditech Financial LLC kmcdonald@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Lee Martin Perlman on behalf of Debtor Daniel K Holt ecf@newjerseybankruptcy.com,
 mcdoherty@ecf.courtdrive.com
 Lee Martin Perlman on behalf of Joint Debtor Sandee E Larsen ecf@newjerseybankruptcy.com,
 mcdoherty@ecf.courtdrive.com
 Shauna M Deluca on behalf of Creditor LoanCare, LLC sdeluca@rasflaw.com
 Sindi Mncina on behalf of Creditor LoanCare, LLC smncina@rascrane.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11